

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 812*

Short Title: Replace Common Core To Meet NC's Needs. (Public)

Sponsors: Senators Soucek, Tillman (Primary Sponsors); Brock, Cook, Daniel, Hunt,
Krawiec, Randleman, and Sanderson.

Referred to: Education/Higher Education.

May 21, 2014

A BILL TO BE ENTITLED
AN ACT TO REPLACE THE COMMON CORE BY EXERCISING NORTH CAROLINA'S
PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS
AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE AND
THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND
PROFESSIONALLY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH
COMMISSION STUDY COMMITTEE ON THE COMMON CORE STATE
STANDARDS.

Whereas, under the United States Constitution, public education is a power reserved to states; and

Whereas, the North Carolina Constitution directs the State Board of Education to supervise and administer the free public school system, subject to laws enacted by the General Assembly; and

Whereas, both the North Carolina Constitution and the North Carolina General Statutes recognize that academic standards should be developed and established by the State Board of Education to meet North Carolina's needs; and

Whereas, the North Carolina General Statutes direct the State Board of Education to adopt and modify academic standards for the public schools; and

Whereas, the North Carolina General Statutes also grant local boards of education broad discretion and authority with respect to specific curricular decisions and academic programs, as long as they align with the standards adopted by the State Board of Education; and

Whereas, implementation of standards that are not tailored to the needs of North Carolina's students would be costly, inefficient, and ineffective; and

Whereas, North Carolina's standards must be age-level and developmentally appropriate; and

Whereas, the adoption and implementation of demanding, robust academic standards is essential for providing high-quality education to our students and for fostering a competitive economy for the future of our State; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1.(a) The State Board of Education shall:

- (1) Continue to exercise its authority under the North Carolina Constitution and G.S. 115C-12(9c) to adopt, revise, and replace academic standards for the public schools.



- 1 (2) Conduct a comprehensive review of all English Language Arts and
2 Mathematics standards and propose modifications to ensure that they are
3 rigorous, meet and reflect North Carolina's priorities, are age and
4 developmentally appropriate, and are understandable to parents and teachers.
5 Prior to making changes to the standards, the State Board shall consult with
6 the Academic Standards Review Commission, which is established in
7 Section 2 of this act.

8 **SECTION 1.(b)** Academic standards adopted by the State Board of Education
9 under G.S. 115C-12(9c) shall continue to be named and referred to as the "North Carolina
10 Standard Course of Study," reflecting emphasis on North Carolina's needs and priorities.

11 **SECTION 1.(c)** The State Board shall ensure that the implementation of this
12 section is consistent with federal law and the conditions of federal grants.

13 **SECTION 2.(a)** There is established the Academic Standards Review
14 Commission. The Commission shall be located administratively in the Department of
15 Administration but shall exercise all its prescribed statutory powers independently of the
16 Department of Administration.

17 **SECTION 2.(b)** The Commission shall be composed of 17 members as follows:

- 18 (1) The Lieutenant Governor or a designee.
19 (2) The Superintendent of Public Instruction or a designee.
20 (3) Six members appointed by the President Pro Tempore of the Senate, of
21 whom no more than one may be a member of the Senate. The President Pro
22 Tempore shall consider, but is not limited to, appointing representatives
23 from the following groups in these appointments: parents of students
24 enrolled in the public schools; Mathematics and English Language Arts
25 teachers; and Mathematics and English Language Arts curriculum experts.
26 (4) Six members appointed by the Speaker of the House of Representatives, of
27 whom no more than one may be a member of the House of Representatives.
28 The Speaker of the House of Representatives shall consider, but is not
29 limited to, appointing representatives from the following groups in these
30 appointments: parents of students enrolled in the public schools;
31 Mathematics and English Language Arts teachers; and Mathematics and
32 English Language Arts curriculum experts.
33 (5) Two members of the State Board of Education appointed by the chair of the
34 State Board of Education.
35 (6) One member appointed by the Governor.

36 The Senator and Representative appointed to the Commission shall serve as
37 cochairs of the Commission.

38 **SECTION 2.(c)** The Commission shall:

- 39 (1) Conduct a comprehensive review of the academic standards for English
40 Language Arts and Mathematics that were adopted by the State Board of
41 Education under G.S. 115C-12(9c).
42 (2) As soon as practicable upon convening, and at any time prior to termination,
43 recommend changes and modifications to these academic standards to the
44 State Board of Education.
45 (3) Review the proposed changes to academic standards submitted to it by the
46 State Board of Education in accordance with subdivision (2) of Section 1 of
47 this act.
48 (4) Recommend to the State Board of Education assessments aligned to
49 proposed changes and modification that would also reduce the number of
50 assessments administered to public schools.

1 (5) Consider the impact on educators, including the need for professional
2 development, when making any of the recommendations required in this
3 section.

4 The Commission shall assemble content experts to assist in evaluating the rigor of
5 academic standards. The Commission shall also involve interested stakeholders in this process
6 and otherwise ensure that the process is transparent.

7 **SECTION 2.(d)** The Commission shall meet upon the call of the cochairs. A
8 quorum of the Commission shall be nine members. Any vacancy on the Commission shall be
9 filled by the appointing authority.

10 The Commission shall hold its first meeting no later than September 1, 2014.

11 **SECTION 2.(e)** The Commission may contract for professional, clerical, and
12 consultant services. The Commission may also contract with an individual who has an excellent
13 national reputation in the area of school standards and assessments to facilitate the work of the
14 Commission. Professional and clerical staff positions for the Commission may be filled by
15 persons whose services are loaned to the Commission to fulfill the work of the Commission.

16 **SECTION 2.(f)** The Department of Administration shall provide meeting rooms,
17 telephones, office space, equipment, and supplies to the Commission and shall be reimbursed
18 from the Commission's budget.

19 **SECTION 2.(g)** Commission members shall receive per diem, subsistence, and
20 travel allowances in accordance with G.S. 138-5, 138-6, or 120-3.1, as appropriate.

21 **SECTION 2.(h)** Upon the request of the Commission, all State departments and
22 agencies and local government and their subdivisions shall furnish the Commission with any
23 information in their possession or available to them.

24 **SECTION 2.(i)** The Commission shall make a final report of its findings and
25 recommendations to the State Board of Education, the Joint Legislative Education Oversight
26 Committee, and the 2016 Regular Session of the 2015 General Assembly. The Commission
27 shall terminate on December 31, 2015, or upon the filing of its final report, whichever occurs
28 first.

29 **SECTION 3.** G.S. 115C-174.11(c)(3) is repealed.

30 **SECTION 4.** G.S. 115C-12(39) reads as rewritten:

31 "(39) Power to Accredit Schools. – Upon the request of a local board of education,
32 the State Board of Education shall evaluate schools in local school
33 administrative units to determine whether the education provided by those
34 schools meets acceptable levels of quality. The State Board shall adopt
35 rigorous academic standards for accreditation after consideration of (i) the
36 standards of regional and national accrediting agencies, (ii) ~~the Common~~
37 ~~Core Standards adopted by the National Governors Association Center for~~
38 ~~Best Practices and the Council of Chief State School Officers, the academic~~
39 standards adopted in accordance with subdivision (9c) of this section, and
40 (iii) other information it deems appropriate.

41 The local school administrative unit shall compensate the State Board for
42 the actual costs of the accreditation process."

43 **SECTION 5.** The State Board of Education shall report to the Joint Legislative
44 Education Oversight Committee prior to the acquisition and implementation of a new
45 assessment instrument to assess student achievement on the academic standards adopted
46 pursuant to G.S. 115C-12(9c), including the Common Core Smarter Balanced Consortium
47 Assessments and the PARCC Assessment developed by the Partnership for Assessment of
48 Readiness of College and Careers. The State Board shall not acquire or implement such an
49 assessment instrument without the enactment of legislation by the General Assembly
50 authorizing the purchase.

1 **SECTION 6.** There is appropriated from the General Fund to the Department of
2 Administration the sum of two hundred fifty thousand dollars (\$250,000) for the 2014-2015
3 fiscal year to implement Section 2 of this act.

4 **SECTION 7.** This act becomes effective July 1, 2014.